

4149. Misbranding of "Dr. Greene's Nervura." U. S. v. Frank A. Greene et al. (Drs. F. A. and J. A. Greene). Plea of nolo contendere. Fine, \$50. (F. & D. No. 6183. I. S. No. 9570-h.)

On March 11, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank A. Greene and Jarad A. Greene, trading as Drs. F. A. and J. A. Greene, Boston, Mass., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 4, 1914, from the State of Massachusetts, into the State of New York, of a quantity of "Dr. Greene's Nervura" which was misbranded. The product was labeled (On carton) "This Style Adopted 1907. Dr. Greene's Nervura Trade Mark. Blood and Nerve Remedy 18 Per Cent. Alcohol. For Nervousness, Nervous Debility, Weakness, Poor Blood, Kidney and Liver Complaints, Rheumatism, Neuralgia, Female Weakness, Malaria, Chills and Fever, Exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria, Paralysis, Numbness, Trembling, Pains in the side and back, Apoplexy, Epileptic Fits, St. Vitus Dance, Palpitation, Nervous and Sick Headache, Dyspepsia, Indigestion, Loss of Appetite, Constipation, and all Affections of The Nervous System. Dose. Adults.—Two to three teaspoonfuls after each meal, in a little water. Children.—One-half to a teaspoonful after each meal, in a little water. Infants.—One-quarter teaspoonful, in a little water, three times a day. If you have Constipation, Torpid Liver and Biliousness, you should take Dr. Greene's Laxura Cathartic Pills in connection with Nervura. They are the best pills in the world,—small, sugar-coated, easy to take, certain and pleasant to act. 25 Cents at Druggists. Prepared by Drs. F. A. & J. A. Greene At their Medical Offices and Laboratories. 9 W. 14th Street, New York City. 597 Albany Street, Boston, Mass. Price, \$1.00." (On back) "Warranted Purely Vegetable Dr. Greene's Nervura Blood & Nerve Remedy contains no poisonous minerals nor injurious drugs. Twelve Fluid Ounces Dr. Greene's Nervura Blood and Nerve Remedy Office and Laboratory 597 Albany Street Boston, Mass. Grain Alcohol 18% This amount is necessary to extract and hold in solution the medicinal virtues and curative properties of the herbs, roots, leaves and barks from which Dr. Greene's Nervura is made. If objectionable on principle, expose each dose in a glass for a few moments before taking and the few drops contained therein will evaporate. Guaranteed by Drs. F. A. & J. A. Greene, Under the Food and Drugs Act of June 30, 1906, and Guaranty Filed with the Secretary of Agriculture at Washington, D. C. Serial No. 150:" (On sides) "For Nervous Debility, Rheumatism, Neuralgia, Kidney Complaints, Palpitation of the Heart, Female Weakness, Nervous and Sick Headache, Dyspepsia, Distress after Meals, Indigestion, Liver Troubles, Gas and Bloating, Constipation, Epileptic Fits, St. Vitus Dance. For Tired Feeling, Nervousness, Weakness, Poor Blood, Malaria, Chills and Fever, Nervous Prostration, Sleeplessness, Despondency, Melancholia, Loss of Appetite, Mental Depression, Apoplexy, Paralysis, and All Nervous Diseases." (On top and bottom flaps, dosage in two foreign languages) (On bottle) "Dr. Greene's Nervura 18 Per Cent Alcohol This amount is necessary to extract and hold in solution the medicinal virtues of the herbs, roots, leaves and barks from which Dr. Greene's Nervura is made. Pure grain alcohol is used. It is not only perfectly harmless when compounded as above, but is very beneficial, as it adds a mild strengthening tonic effect, which is permanently maintained by the curative properties of the remedy. If alcohol is objectionable on principle, please expose each dose in a glass or saucer for a few moments before taking, and the few drops contained therein will evaporate. Guaranteed under the Pure Food and Drug Act of June 30, 1906, and guaranty

filed with the Secretary of Agriculture at Washington, D. C. Serial No. 150.
 Dose Adults—Two to three teaspoonfuls, in a little water, after each meal.
 Children—One-half to one teaspoonful, in a little water, after each meal. Pre-
 pared by Drs. F. A. & J. A. Greene 9 West 14th St. New York 597 Albany
 St. Boston”

Analysis of a sample of the product by the Bureau of Chemistry of this
 department showed the following results:

Alcohol (per cent by volume)-----	18.70
Solids (grams per 100 cc)-----	5.219
Ash (grams per 100 cc)-----	0.416
Celery, ginger, and other unidentified vegetable material: Indicated.	

Misbranding of the article was alleged in the information for the reason that
 the following statements regarding the therapeutic or curative effects thereof,
 appearing on the label aforesaid, to wit, (On carton) “Dr. Greene’s Ner-
 vura * * * Blood and Nerve Remedy * * * For * * * Rheuma-
 tism, * * * Malaria, Chills and Fever, * * * Paralysis, * * * Apo-
 plexy, Epileptic Fits, St. Vitus Dance, * * * and all Affections of the Nerv-
 ous System,” were false and fraudulent in that the same were applied to said
 article knowingly and in reckless and wanton disregard of their truth or
 falsity so as to represent falsely and fraudulently to the purchasers thereof,
 and create in the minds of purchasers thereof the impression and belief, that
 it was in whole or in part composed of, or contained, ingredients or medici-
 nal agents effective, among other things, as a remedy for rheumatism, malaria,
 chills and fever, paralysis, apoplexy, epileptic fits, St. Vitus’s dance, and all
 affections of the nervous system; when, in truth and in fact, the said article
 was not in whole or in part composed of, and did not contain, ingredients or
 medicinal agents effective, among other things, as a remedy for rheumatism,
 malaria, chills and fever, paralysis, apoplexy, epileptic fits, St. Vitus’s dance,
 or all affections of the nervous system.

On March 16, 1915, the defendants entered pleas of nolo contendere to the
 information, and the court imposed a fine of \$25 upon each defendant, or an
 aggregate fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*